BEFORE THE

COUNTY BOARD OF APPEALS

SIDE OLD YORK ROAD, 115' WEST OF CENTERLINE KIRKWOOD SHOP RD* BALTIMORE COUNTY (19720 TRUNK ROAD) 7TH ELECTION DISTRICT

* CASE NO. 92-235-SPH 3RD COUNCILMANIC DISTRICT * * * * * * * *

ORDER OF DISMISSAL

This matter comes to the Board on appeal from a decision of the Zoning Commissioner dated January 14, 1992 which granted the requested Petition.

WHEREAS, the Board is in receipt of a Notice of Dismissal of Appeal filed by People's Counsel for Baltimore County, Appellant, on April 29, 1992 (a copy of which is attached hereto and made a part hereof) requesting dismissal of the appeal; and

WHEREAS, People's Counsel for Baltimore County requests that the appeal filed in this matter be dismissed and withdrawn as of April 29, 1992,

IT IS HEREBY ORDERED this _______, 1992 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

C. William Clark

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY William T. Hackett, Chairman

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE # 92-235-SPH

Special Hearing seeking a modification to the Order in case No. 85-104-SPH;

to permit a conveyance of a lot of 1 acre in size to a child for the purpose

of constructing a dwelling house thereon for use by the child, pursuant to

the Maryland Agricultural Land Preservation Foundation provisions of the

Annotated Code of Maryland, as more particularly described on Petitioners'

appeared, testified and were represented by Robert Hoffman, Esquire. Other

that time, they requested permission to convey four (4) parcels resulting

from a subdivision of property owned by them. The four (4) parcels which

The Petitioners/property owners, Philip S. Norman and Marion B. Norman,

This matter comes before the Zoning Commissioner as a Petition for

FINDINGS OF FACT AND CONCLUSIONS OF LAW

RE: PETITION FOR SPECIAL HEARING N/S Old York Rd., 115' W of

C/L Kirkwood Shop Rd. (19720 Trunk Rd.)

: BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

7th Election District 3rd Councilmanic District

Zoning Case No. 92-235-SPH PHILIP NORMAN, et ux, Petitioners

::::::

NOTICE OF DISMISSAL OF APPEAL

Please dismiss People's Counsel's Appeal in the above-entitled matter, because it is no longer in the public interest to pursue this appeal.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-2188

I HEREBY CERTIFY that on this $29^{\frac{11}{2}}$ day of April, 1992, a copy of the foregoing Notice of Dismissal of Appeal was mailed to Robert A. Hoffman, Esquire, 210 Allegheny Ave., Towson, MD 21204.

Phyllis Cole Friedman

were created are shown Petitioners' Exhibit No. 3, the plat submitted to accompany the 1984 Petition for Special Hearing.

The Petitioners also submitted as an exhibit, the Findings of Fact and Conclusions of Law authored by Commissioner Jablon. Pursuant to his Order dated October 23, 1984, he approved the Petition for Special Hearing; however, imposed certain restrictions. One of the restrictions, noted as Restriction No. 2 in his Order, provided that Parcel D could not be utilized for residential purposes and should be used and maintained for agricultural purposes only and could not be further subdivided. Commissioner Jablon also ordered that his restriction be placed within deeds conveying ownership of the parcels and required restrictive covenants to that effect to be recorded among the Land Records of Baltimore County.

Testimony proffered before me disclosed that the Normans propose to create a one acre lot on parcel D. This lot will be improved by a dwelling which will be occupied by the Normans' son, who will farm the property. He proposes to grow organic fruits and vegetables on site. Further, since the property will be enrolled in the Maryland Agricultural Land Preservation program, such a lot and dwelling is permitted under the State regulations.

Based upon the evidence and testimony presented, it is clear that the Petition for Special Hearing should be granted. The Petitioners seek only to exercise the option permitted under the State program. If this option is exercised, the land will be remain in an agricultural use under the Maryland Agricultural Land Preservation Foundation's jurisdiction. This is certainly laudable goal as was recognized by the Office of Planning and the Department of Environmental Protection and Resource Management, both of which support the current Petition. Under the circumstances, I am persuaded that the Petition for Special Hearing should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County Lanuar 1992 that, pursuant to the Petition for Special Hearing, approval seeking a modification to the Order in case No. 85-104-SPH to permit a conveyance of a lot of 1 acre to a child for the purpose of constructing a dwelling house thereon for use by the child, pursuant to the Maryland Agricultural Land Preservation Foundation provisions of the Annotated Code of Maryland, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein.

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHMIDT Zoning Commissioner for

Baltimore County

for Special Hearing should be granted.

BEFORE THE

In the Matter of N/s Old York Rd., 115' W of c/l Kirkwood Shop Road (19720 Trunk Road) 7th Election District

3rd Councilmanic District

Petitioners/Appellees

PHILIP NORMAN, ET UX

* BOARD OF APPEALS

* OF * BALTIMORE COUNTY

* CASE NO.: 92-235-SPH

RETURN OF PRIVATE PROCESS SERVER

* * * * * * * * * * *

Pursuant to Maryland Rule 2-126(a), I, the undersigned, hereby certify that service of process was executed on Wallace S. Lippincott, Jr., on (epril 21, delivering and leaving a copy of the Summons.

I further certify that I am over eighteen years of age and am not a party to this action. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true to the best of my knowledge,

Barbara A. White

41.0 mg 36 - 1.05

SUBP0111.BAW

information and belief.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

SUBP0111.BAW

In the Matter of

Kirkwood Shop Road

(19720 Trunk Road)

7th Election District

PHILIP NORMAN, ET UX

3rd Councilmanic District

Petitioners/Appellees

and as scheduled by the Board.

N/s Old York Rd., 115' W of c/l

* BEFORE THE

* * * * * * * * * * *

SUBPOENA

appear before the County Board of Appeals of Baltimore County

April 30, 1992 at 10:00 a.m. in Room 48 of the Old Courthouse,

continuing thereafter as necessary for such witness' testimony

Resource Management

Towson, Maryland 21204

401 Bosley Avenue, Room 416

Venable, Baetjer and Howard

County Courts Building

at the hearing for the matter captioned above on Thursday,

located at 400 Washington Avenue, Towson, Maryland, and

Witness: Wallace S. Lippincott, Jr.

ROBERT A. MOFFMAN

P.O. Box 5517

before the Baltimore County Board of Appeals.

(301) 823-4111

210 Allegheny Avenue

Towson, Maryland 21204

The witness named above is hereby ordered to so appear

Baltimore County Board of Appeals

Please issue a Subpoena to the following named witness to

Address: Department of Environmental Protection and

* BOARD OF APPEALS

* BALTIMORE COUNTY

* CASE NO.: 92-235-SPH

(410) 887-4386

January 13, 1992

Robert Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing Case No. 92-235-SPH Philip Norman and Marion B. Norman, Petitioners

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Bin Ishill Lawrence E. Schmidt Zoning Commissioner

members of the Petitioners' family, including Joan Norman and Meredith A. Norman, also appeared in support of the Petition. A neighbor and property owner, Robin Svec, also appeared in favor of the Petition, as did the Registered Land Surveyor, J. Finley Ransone, who prepared the Petition. There were no Protestants present. Mr. Hoffman proffered the testimony of the Petitioners. Originally, the Petitioners' predecessor in title came before then Zoning Commissioner Arnold Jablon, in October 1984 under a Petition for Special Hearing. At

Exhibit No. 1.

IN RE: PETITION FOR SPECIAL HEARING *

7th Election District

Philip Norman, et ux

19720 Trunk Road

Petitioners

N/S Old York Road, 112 ft. W

of c/l Kirkwood Shop Road

3rd Councilmanic District

for Baltimore County

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a modification to the order in Case No. 85-104-SPH to permit a conveyance of a lot to a child for the purpose of constructing a dwelling house for use by the child under the Maryland Agricultural Land Preservation Foundation provisions

of the Maryland Code.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fli-ing of this Petition, and further agree to and are to be bound by the zoning regulations and restric-tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

1/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser/Lessee: Philip Norman (Type or Print Name) July & Downan Marion B. Norman Marcon B. Tiorman Attorney for Petitioner: 13500 Manor Road 592-7710... John B. Howard, Esq. -Baldwin MD 21013 John bornd Venable, Baetjer and Howard Name, address and phone number of legal owner, con-210 Allegheny Avenue tract purchaser or representative to be contacted John B. Howard, Esq. Towson, Maryland 21204 210 Allegheny Avenue 823-4111 823-4111 Attorney's Telephone No.: ____8

ESTIMATED LENGTH OF HEARING -1/2HR. AVAILABLE FOR REARING MON./TUES./WED. - NEXT TWO MONTHS

248



J. FINLEY RANSONE & ASSOCIATES, INC. JAH REGISTERED LAND SURVEYORS

TOWSON, MARYLAND 21285-0160 666-7448 Fax 666-0373

October 10, 1991

ZONING DESCRIPTION

Parcel D William Hoy Property

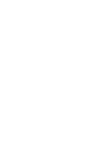
ALL that piece or parcel of land situate, lying, and being in the Seventh Election District of Baltimore County, State of Maryland, and described more particularly as follows to wit:

BEGINNING for the same at a point on the north side of Old York Road distant westerly 112 feet from the center of Kirkwood Shop Road, and being known an designated as Parcel D as shown on the plat entitled Subdivision of William Hoy Property, which plat is recorded among the records in Baltimore County in Plat Book No. 52 folio 53.

CONTAINING 81.465 Acres of land more or less.

BEING known as No. 19720 Trunk Road.





(410) 887-3353

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recelph

Account: R-001-6150

165500548

PACICI PUBLIC HEARTH FEEL 435 JOO 1000 SPECIAL HEARING (TRL)

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Please Make Childra Dia 1986 THE SHIRGOR County \$35.00

BA CO11:29AH12-03-91

Cashier Validation

Baltimore County County Office Building 111 West Chesapeake Avenue

Zoning Commisi County Office Building
111 West Chesopeake Avenue
Towsen, Maryland 21204

Zoning Commisioner rowson, Maryland 21204

Account: R-001-6150

86 (017:33PMDL 13:92

Please Make Cheeks Payable The Baltimore County \$ 1.20 . 58

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

MTE:_/_ 3 9~

Philip and Marion Norman Saldwin, Maryland 21013

CASE HUMBER: 92-235-X SPH N/S Old York Road, 112' W of c/l Kirkwood Shop Road 19720 Trunk Road 7th Election District - 3rd Councilmenic Petitioner(s): Philip Morman & Marion B. Norman

your Order, immediate attention to this matter is suggested.

THIS FEE MOST BE PAID. ALSO, THE ZORING SIGN & POST SET(S) MOST BE RETURNED OF THE DAY OF THE HEARING OR

payable to Baltimore County, Haryland. In order to prevent delay of the issuence of proper credit and/or

THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE Please forward your check via return smil to the Zoning Office, County Office Building, 111 W. Chesepseke Avenue, Room 113, Towson, Heryland 21204. It should have your case number noted thereon and be made

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 91-135-12

District 777	Date of Posting 17/27/4/
Posted for: 54'3c 16 Fear 1 wg	
Petitioner: Philip & Merion B. M	Vor men
Location of property: NIS CID YOUT Rd.	112' w/Kirk wood shop Rd.
197m Tronk Rd	
Location of Signer Toring Old York Ad	carry to For youd was on
froporty of Petitioner	
Remarks: CAddress 19710 added to	51971.)
Posted by Mitheatry	Date of return: 1/3/92_
Macter	VALUE OF PROPERTY.

CENTIFICATE OF POSTING ZONNIS DEPARTMENT OF BALTIMORE COUNTY 97-235-5P#

Posted for: HPPeq	Date of Posting 3/15/62
Politice Philip Norman	n, e / uy
Location of preparty: N/S U.S. York Rd	
Proporty is out in a field	
	ex L & Trout Rd, with address
added To sign	
Remarks:	
Posted by Mistales	Date of return: 3/20/92
Rumber of Signe:	

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public bearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Haryland 21204 as follows:

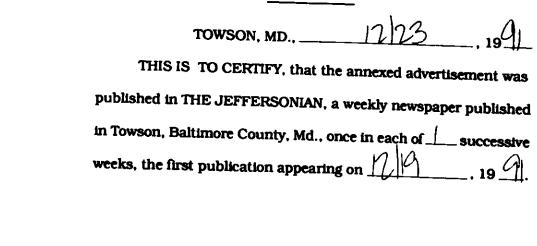
CASE NUMBER: 92-235-N N/S Old York Road, 112" W of c/l Kirkwood Shop Road 19720 Trunk Road 7th Election District - 3rd Councilmanic Petitioner(s): Philip Mormon & Marion B. Mormon HEARTIG: MONDAY, JANUARY 13, 1992 at 10:00 a.m.

Special Hearing to approve a modification to the Order in Case Number 85-104-SPH to permit a conveyance of a lot to a child for the purpose of constructing a dwelling house for use by the child under the Haryland Agricultural Land Preservation Foundation provisions of the Heryland Code.

Baltimore County

cc: Philip and Merion Norman John B. Howard, Esq.

CERTIFICATE OF PUBLICATION



THE JEFFERSONIAN.

CERTIFICATE OF PUBLICATION

TOWSON, MD., . THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on __

TOWSON TIMES,

5. Zehe Orlan

Baltimore County Government Office of Zoning Administration and Development Management. Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

Case Number: 92-236-A N/S Old York Road, 112' W of of Kirlarood Shop Road 19720 Trunk Road 7h Election District 3rd Councilments: Petitioner(s): Philip Norman & Marrion B. Norman Hearing Date: Monday, Jan. 13, 1991 at 10:00 a.m.

Special Hearing: to approve a modification to the Order in Case Number 85-104-SPH to permit a conveyance of a lot to a child for the purpose of consturcting a dwelling house for use by the child under the Maryland Agricultrusi Land Preservation Foundation provisions of the Maryland Code.

LAWRENCE E. SCHMIDT Zorling Commissioner of Baltimore County TT/J/12/182 December 19.

The Zening Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeste Avenue in Toward, Maryland 21204 as follows:

Case Number: 92-235-A N/S Old York Road, 112' W of c/l Kirkwood Shop Road 19720 Trunk Road 7th Election District 3rd Councilmanic Putlioner(s): Philip Norman & Marton B. Norman Hearing Date: Monday, Jan. 13, 1991 at 10:00 a.m.

Special Hearing: to approve a modification to the Order in Case Number 85-104-SPH to permit a nce of a lot to a child !

the purpose of a lot to a child for the purpose of consturcting a dwelling house for use by the child under the Maryland Agricultrual Land Preservation in Equipolation provides on the Mary

(410) 887-3353

December 26, 1991

John B. Howard, Esquire

RE: Item No. 248, Case No. 92-235-SPH Petitioner: Philip Norman, et ux Petition for Special Hearing

Dear Mr. Howard:

210 Allegheny Avenue

Towson, MD 21204

Venable, Baetjer and Howard

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with above referenced petition. The attached comments from each reviewing agency are not intended to assure that that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning peitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attoring who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnell.

Page 2

Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All Petitions filed in this manner will be reviewed and commented on by Zoning personnel will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possiblity that another hearing will be required or the Zoning Commissioner that another hearing will be required or the Zoning Commissioner. will deny the petition due to errors or imcompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required the appointment without a 72 hour notice will be required the appointment without a /2 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

● 92-235-SPH 1-3

BALDINGE OFFICE ARTELAND Den State Baldinge Description Description

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- Algebra Dugera Dugera

To a service of the contract of the contract process Management.

Zoning Plans Advisory Committee Chairman

JED: jw

Enclosures

ec: Mr. & Mrs. Philip Norman 13500 Manor Road Baldwin, MD 21013

Baltimore County Government Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 2120+

(410) 887-3353

Your petition has been received and accepted for filing this 30th day of December , 1991.

ZONING PLANS ADVISORY COMMITTE

Petitioner: Philip Norman, et ux Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY RCONOMIC DEVELOPMENT COMMISSION

Memorandum

Julie Winiarski Office of Zoning Administration and

Development Management

A. J. Haley, Acting Director Coff Economic Development Commission

Zoning Advisory Comments for Meeting of December 17, 1991

This office has no comment for items 92-1, 233, 237, 245, 246, 247, 248, 249, 250, 251, 252 or 253.

ZONING OFFICE

92-235-SPH

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: January 7, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 17, 1991

This office has no comments for item numbers 233, 245, 246, 247, 248, 249, 250, 251, 252 and 253.

Traffic Engineer II

RJF/lvd

5003-92

County Board of Appeals of Baltimore County OLD COURTHOUSE, ROOM 49

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

April 30, 1992

Phyllis Cole Friedman People's Counsel for Baltimore County Room 47, Old Courthouse 400 Washington Avenue Towson, MD 21204

> RE: Case No. 92-235-SPH Philip Norman, et ux

Dear Ms. Friedman:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

> Katheen & Bushammer Mathleen C. Weidenhammer Administrative Assistant

encl.

cc: Robert A. Hoffman, Esquire Mr. & Mrs. Philip Norman Ms. Joan Norman Ms. Robin Svec Mr. J. Finley Ransone P. David Fields Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk - Zoning JArnold Jablon, Director of Zoning Administration

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

January 10, 1992

Arnold Jablon, Director

Zoning Administration and Development Management

DIVISION OF GROUND WATER MANAGEMENT

Zoning Item #248, Zoning Advisory Committee Meeting of December 17, 1991, Philip Norman and Marion B. Norman, N/S Old York Road, 112' W of centerline Kirkwood Shop Road (#19720 Trunk Road), D-7, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

Percolation tests were conducted May 2, 1991. Revised plans have been reviewed and approved by this Office.

The Agricultural Preservation Coordinator of DEPRM has approved this

248.ZNG/GWRMP

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

Hearing Room -Room 48, 400 (410) 887-3180
Washington Avenue, Old Courthouse, Basement

April 3, 1992

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-235-SPH

PHILIP NORMAN, ET UX N/s Old York Rd. / 115' W of c/l Kirkwood Shop Road (19720 Trunk Rd.) 7th Election District; 3rd Councilmanic District SPH-modify 85-104-SPH; permit conveyance

of 1 acre lot to child for dwelling/MD Agr. Land Pres. Foundation 1/14/92 - Z.C.'s Order GRANTING Petition.

THURSDAY, APRIL 30, 1992 at 10:00 a.m.

ASSIGNED FOR:

cc: Robert A. Hoffman, Esquire - Counsel for Petitioners

Mr. and Mrs. Philip Norman - Petitioners

Ms. Joan Norman

Ms. Robin Svec

J. Finley Ransone

People's Counsel for Baltimore County - Appellant P. David Fields

Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr.

Docket Clerk - Zoning Arnold Jablon-Director of Zoning Administration

LindaLee M. Kuszmaul - Legal Secretary

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: January 6, 1992 Arnold Jablon, Director Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Norman Property, Item No. 248

In reference to the petitioner's request, the staff offers the following comments:

The subject property is in an Agricultural Preservation Area and this property has sold easements to the Maryland Agricultural Land Preservation Foundation.

This proposal has been approved by both the local Baltimore County Board and the State Foundation Board as being consistent with agricultural preservation.

Therefore, this office recommends that the applicant's request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn ITEM248/TXTROZ

Petition for Special Hearing N/S Old York Road, 115 ft. W of c/1 Kirkwood Shop Road (19720 Truck Road) 7th Election District - 3rd Councilmanic District PHILIP NORMAN, ET UX - Petitioner Case No. 92-235-SPH

Petition(s) for Special Hearing

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's Sign-In Sheet

Petitioner's Exhibits: 1. Plat to accompany petition

2. Copy of Decision from Case No. 85-104-SPH

3. William Hoy Property Subdivision Plat

4. Comments from Paul Solomon

Zoning Commissioner's Order dated January 14, 1992 (Granted)

Notice of Appeal received February 13, 1992 from People's Counsel

cc: Mr. & Mrs. Philip Norman - 13500 Manor Road, Baldwin, MD 21013 Robert Hoffman - 210 Allegheny Avenue, Towson, MD 21204

Joan Norman - 18315 Kings Road, White Hall, MD 21161

Robin Svec - 2629 Openshaw Road, White Hall, MD 21161

J. Finley Ransone - 1 Sunnyview Drive, Phoenix, MD 21131

Public Services

People's Counsel of Baltimore County

Rm. 304. County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning Patrick Keller, Office of Planning & Zoning Lawrence E. Schmidt, Zoning Commissioner Timothy M. Kotroco, Deputy Zoning Commissioner W. Carl Richards, Jr., Zoning Coordinator Docket Clerk Arnold Jablon, Director of Zoning Administration and Development Management

92-225 587 1-15 Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 2120-1-5500

(301) 887 4500

Fire Prevention Bureau

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: PHILIP NORMAN AND MARION B. NORMAN

#19720 TRUNK ROAD Location:

Zoning Agenda: DECEMBER 17, 1991 Item No.: 248

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

JANUARY 6, 1992

7. The Fire Prevention Bureau has no comments at this time.

Noted and REVIEWER: 1 - WWW. T.L. Wien Approved Planning Group

Special Inspection Division

JP/KEK

RE: PETITION FOR SPECIAL HEARING N/S Old York Road, 112' W of

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Zoning Case No. 92-235-SPH

C/L Kirkwood Shop Road (19720 Trunk Road) 7th Election District

3rd Councilmanic District PHILIP NORMAN, et ux,

Petitioners

::::::: NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of January 14, 1992, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

> Colo Fuedman Phyllis Cole Friedman People's Counsel for Baltimore County

May Zameman Peter Max Zimmerman Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-2188

I HEREBY CERTIFY that on this 1360 day of February, 1992, a copy of the foregoing Notice of Appeal was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., Towson, MD 21204.

4/3/92 - Following parties notified of hearing set for April 30, 1992 at 10:00 a.m.:

Robert A. Hoffman, Esquire Mr. and Mrs. Philip Norman Ms. Joan Norman Ms. Robin Svec J. Finley Ransone P. David Fields Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk - Zoning

Arnold Jablon

111 West Chesapeake Avenue

People's Counsel for Baltimore County - Appellant

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER

::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-

Phyllis Cole Friedman

Peter Max Zimmerman

Room 47, Courthouse

I HEREBY CERTIFY that on this 13th day of February, 1992, a copy of

Phyllis Cole Friedman

(410) 887-2188

the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire,

Venable, Baetjer and Howard, 210 Allegheny Ave., Towson, MD 21204.

400 Washington Avenue

Deputy People's Counsel

Towson, Maryland 21204

People's Counsel for Baltimore County

captioned matter. Notices should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

: OF BALTIMORE COUNTY

Case No. 92-235-SPH

N/S Old York Road, 112' W of

C/L Kirkwood Shop Road

7th Election District

PHILIP NORMAN, et ux.

3rd Councilmanic District

(19720 Trunk Road)

Petitioners

final Order.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

March 10, 1992

(410) 887-3353

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Special Hearing N/S Old York Road, 115 ft. W of c/1 Kirkwood Shop Road (19720 Trunk Road) 7th Election District, 3rd Councilmanic District PHILIP NORMAN, ET UX - Petitioner

Dear Board:

Case No. 92-235-SPH

Please be advised that an appeal of the above-referenced case was filed in this office on February 13, 1992 by People's Counsel. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

LES:cer

Enclosures

cc: Mr. & Mrs. Philip Norman - 13500 Manor Road, Baldwin, MD 21013

Robert Hoffman - 210 Allegheny Avenue, Towson, MD 21204

Joan Norman - 18315 Kings Road, White Hall, MD 21161

Robin Svec - 2629 Openshaw Road, White Hall, MD 21161 J. Finley Ransone - 1 Sunnyview Drive, Phoenix, MD 21131

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

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VENABLE, BAETJER AND HOWARD

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ATTORNEYS AT LAW

RICHARD M. VENABLE (1839-1901) EDWIN G. BAETJER (1869-1943) CHARLES MCH. HOMARD (1870-1942)

ROBERT A. HOFFMAN

March 24, 1992

494-9162

WRITER'S DIRECT NUMBER IS

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204 Re: Case No. 92-235-SPH

Philip Norman and Marion B. Norman. Petitioners

Dear Mr. Hackett:

This case comes before the Board on an appeal by People's Counsel. It is my belief that there will not be a dispute of facts in this case, but there will be legal argument involving the provisions of Maryland Agricultural Land Preservation Foundation Program and the Baltimore County Zoning Regulations. (It should be noted that there were no Protestants present at the Zoning Commissioner's hearing.)

My clients were not expecting an appeal in this case and had already expended significant funds for the construction of a dwelling on the subject property. It is therefore respectfully requested that an expedited hearing be scheduled. For the above stated reasons, it is submitted that this case can be heard during either an afternoon or morning session of the Board.

Thank you for your attention to this matter.

RAH/tls cc: Phyllis C. Friedman, Esquire

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY BOW MANGE RD, BAKDWING, WILL NORMAN 13500 MANOR RA BALDU 1 Sunyview De PHOENIX 21131 18315 Kings Rd White Hall 21161 Joan NormAN 2629 OPENSHAW RD (UHITE HACE 2116) 18315 Kings Rd White HALL 21161 Mereditt A NORMAN 210 Alleghony Ave 21204 BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PARCEL "C" INTER-OFFICE CORRESPONDENCE DATE: November 25, 1991 TO: Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management CTG. 34/1/ FROM: Paul J. Solomon LOT & ENK. 044/26 PLATS OF HOY PROPERTY SUBJECT: The Norman Farm LOT-2 GT.G. 34/111 N80'20'00 Year VICINITY MAP FARM TRACT 81.465 Ac. ± PARCEL "D" 40T-1 0.56 34/104 Please be advised that the farm property owned by Mr. and Mrs. Philip Norman, consisting of 82+ acres, and located off of Kirkwood Shop Road in Baltimore County, is enrolled in the Maryland Agricultural Land Preservation Program. In this regard, an easement has been sold by the Norman's to the State of Maryland. R.C. 2 - ZONE NOTE: Porcele R.B.C.&D Shown Hereon are Subject To The Following Zoning Restrictions (Case #86-164-6PH) N 44.53.10"E 193.21" 1. All Parcels Shown Haraon Have Been Utilized as Fer as Density to Concerned and May Not be Considered as Separate Building Late In addition, the Maryland Agricultural Land Preservation Foundation, upon a favorable recommendation from the Baltimore County Agricultural J-N 42.51.79.E 81.99 Land Preservation Board, has approved a one acre lot for the personal use of the Norman's son, Drew, as well as one tenant dwelling for the seasonal labor necessary to assist with the operation of this commercial organic, 2. Percale A and B May be Utilized for Single Femily Residential Use Only and May Not be Forther Subdivided Female Card D May Not be Utilized for Residential Purposes and Shall be Used and Maintained for Agricultural Femposes Only and May Not be Further Subdivided. -552°13'30"E 11.03' N 18.54'00"E 296.59' produce, or vegetable farm. - ROAD WIDENING Mr. and Mrs. Norman are in full compliance with all aspects of the NTTO W SEGS! NETICED W STE 10 Maryland Agricultural Land Preservation Program. PARCEL "A" Paul J Solonion / to PARM TRA Paul J. Solomon, Program Administrator ng meterme WIDENING Agricultural Land Preservation Program EVERGREEN HILLS EHKAZOS. PJS:ju EMA, M. 52 ... 53 cc: Paul J. Consbruck, Esq. Venable, Baetjer and Howard 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21285-5517 DEED REF. 0.T.6.4162/4971 575°01'40"E JABLON1/WQAG COLUMN OF THE PLAT DASS NOT CHREATTEE INSTALLA CONTROL OF THE PURT WITH BE SUPERSEDED THE PLET MAY BE WELL FROM THE PLAT MAY BE WELL FROM THE OFFICE OF PLANNING & ZONING AND THEORY OF FURBEL WORKS. SUBDIVICION THE PLANT OF THE CHAITY COUNCIL BILL 56-82 (SECT. 22-6), THE CHAITY COSE PLETTING TO THE LAPSE PLUD CHAITS FOR PECOND PLAT. WILLIAM HOY PROPERTY IN RE: PETITION SPECIAL HEARING N/S of Old York Road, 90' NW ZONING COMMISSIONER of the centerline of Kirkwood Shop Road - 7th Election AND LOS INTERIOR OF PROCEED TO PUBLIC USE: OF BALTIMORE COUNTY District THE TO THE BEDS THEREOF IS EXPRESSLY
THE GENERALIS OF THE DEED TO WHICH THIS
OF THESE PERSONS AND ASSIGNS. OWNER'S CERTIFICATE: Case No. 85-104-SPH THE REQUIREMENTS OF SECTION 59 64 SETTICE William R. Hoy, et ux, IT OF THE MULETATED COSTS OF MATERIAL FEST ENTINU (TITLE: CLERKS OF THE COURTY SUSTINE CLERKS OF THE CHICAT COURTS) AS FIRST AND THEY RELATE TO THE MATERIALS OF THIS PLATED THE PROPERTY AND THE PERSONNEL OF THE PROPERTY OF THE PERSONNEL OF THE PER Petitioners FINDINGS OF FACT AND CONCLUSIONS OF LAW The Petitioners herein request permission to convey four parcels resulting AND THE PROPERTY OF WAY LINE THE STATE OF WAY LINE THE STATE OF THE ST from a subdivision of property owned by them, as more accurately described on Petitioners' Exhibit 1. The Petitioners appeared and were represented by Counsel. Their Contract Purchasers also appeared. Eugene Raphel, a registered land surveyor, appeared and testified on their behalf. There were no Protestants. - 12 (개월) Testimony indicated that the property, zoned R.C.2, consisting of approximately 121 acres, was purchased by the Petitioners in 1967. They are moving to the Eastern Shore and wish to sell the property by dividing it into four par-The property's zoning permits its subdivision into only two lots. The Petitioners testified that due to the particular circumstances and facts of this the spirit and intent of the R.C.2 legislation would not be violated if Property were divided into four distinct parcels. The first parcel, noted on the site plan as Parcel A, consisting of approxy ten acres, is improved with a single-family frame dwelling. The second 1, noted as Parcel B, consisting of 11.98 acres, is improved with a singlebrick dwelling. The third parcel, noted as Parcel C, is unimproved and would be sold to Mr. Hoy's brother, Timothy Hoy, who owns the adjacent property, noted as Lot 4. This parcel contains 18 acres, five acres of which would be devoted entirely to agricultural purposes and the growing of nursery stock.

